



16955DIVCONCIP(AP)PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Woodward et al

Serial No: 08/605,567

Filed: February 22, 1996

For: CYCLOPENTANE HEPTANOIC
ACID, 2-CYCLOALKYL OR
ARYLALKYL DERIVATIVES AS
THERAPEUTIC AGENTS

Group No. : 1209

Examiner: M. Cebulak

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The owner, Allergan of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 and 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 5,352,708; 5,545,665; 5,587,391 and 5,607,978. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors

or assigns.

06/03/1997 L WILLIAM 00000105 DAN:010885 08605567
Sale Ref: 00000126 DAN: 010885 08605567
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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminal disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Date

April 23, 1997

Signature

By:

RJ Baran

ROBERT J. BARAN

Assistant General Counsel

ALLERGAN, INC.

☒ Please charge the terminal disclaimer fee under 37 CFR 1.20(d) to Account No. 01-0885. A duplicate of this terminal disclaimer is enclosed.

☒ PTO suggested wording for terminal disclaimer was unchanged.

Please direct all correspondence to:

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